

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

EDDIE SANTANA,

Plaintiff,

v.

SULLIVAN ASSET MANAGEMENT LLC,
formerly known as Enhanced
Acquisitions, LLC,

Defendant.

Case No. 14-CV-0781-CVE-FHM

DEFAULT JUDGMENT

This matter comes on for consideration of plaintiff's Motion for Default [Judgment] against Sullivan Asset Management LLC (Dkt. # 12). Plaintiff Eddie Santana, appearing pro se, filed this case alleging that defendant violated the Fair Debt Collection Practices Act, 42 U.S.C. § 1692 et seq. (FDCPA), and he asks the Court to enter a default judgment prohibiting defendant Sullivan Asset Management LLC (Sullivan) from seeking to collect a debt allegedly owed by plaintiff. He also asks the Court to award him statutory damages under the FDCPA. The Court found that plaintiff was unable to pay the filing fee and he was permitted to proceed in forma pauperis. Dkt. # 3. Due to his pro se status, plaintiff was also permitted to request that defendant be served by the United States Marshal. Id. at 2. A return of service was filed showing that Sullivan was served by certified mail in February 2015. Dkt. # 9. Sullivan has not filed an answer or other responsive pleading, and the Court Clerk has found that Sullivan is in default. Dkt. # 14.

Pursuant to Fed. R. Civ. P. 55(a), default judgment is appropriate when "a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by these rules and that fact is made to appear by affidavit or otherwise." Due to defendant's default,

it has admitted the well-pleaded allegations of the complaint. Olcott v. Delaware Flood Co., 327 F.3d 1115, 1125 (10th Cir. 2003). The Court finds that defendant has failed to file a responsive pleading or otherwise defend against plaintiff's claims, and default judgment should be entered in favor of plaintiff and against Sullivan.

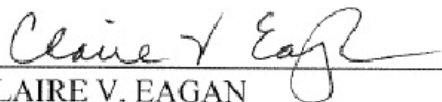
IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that plaintiff's Motion for Default [Judgment] against Sullivan Asset Management LLC (Dkt. # 13) is **granted**.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that default judgment is hereby entered in favor of plaintiff Eddie Santana against defendant Sullivan Asset Management LLC in the amount of \$1,000, plus post-judgment interest thereon from this date at the rate of 0.31%, plus the costs of this action.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that defendant will cease all collection efforts against plaintiff as to the debt identified in the complaint.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that plaintiff's Request for Status (Dkt. # 15) is **moot**.

DATED this 7th day of October, 2015.



CLAIRE V. EAGAN
UNITED STATES DISTRICT JUDGE